G R S App F [X 4]

1942-43
(Municipal)

File No 110-42

Previous References

Serial Nos 33 to 35

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos Two

Part B for July, 43

SUBJECT

Re Recovery of loan amount Rs 1236 0/-
due from Kamkeni - Subbanna to the
Sringeri MC

G O No L 262-3 D 7/7/43
The DC, Kadur
The comptroller
Sanctions the proposals

HSu
17/7

From the Dy Commr, Kadur Dt
Letter No. A3-C. 4624-328/42-43 dt 20 5/43

Requests sanction as resolved by the Improvement Committee for acceptance of Rs 40/- from the first Mortgagee and to remit a sum of Rs 60/- towards the Closure of this due from one Sri Kaarkere Subbanna from whom the balance of the loan of Rs 100/- is due

1) The loan was advanced in 1924 on the security of the Site. Action was taken for recovery of the balance of Rs 100/- in 1935-36. Though a decree was obtained in the said year, it appears that execution proceedings were taken later and the fact the Site having been mortgaged to Sri Patel Ramappa Hegade prior to the loan appears to have been discovered. If the fact of encumbrance of the site had been obtained before the proposed loan was granted, the advance of the loan on the mortgage of the site would not have arisen.

2) It is stated that there is no property belonging to the mortgagee who is now dead & the facts is in broken circumstances. The D.C seeks sanction to the resolution in the matter Submitted for orders.

MWS 12/6/43 Sanctioned 14/6

3) In the circumstances reported, the recommendation of the D.C Kadur Dist to receive a sum of Rs 40/- from Patel

Recovery of loan amounting Rs 60 due from Kenkeri Subbanna & Sanjeeva Mudaliar 7/20

Continuation Sheet | File No / Current No | of | Page

Ramappa Helpful as a friend & helper for the mortgage deed No. 1 but the balance of Rs 60 may be appropriated by Govt as Land Revenue

Law Secy 15/6/43

1) As it is better to recover Rs 60 from the mortgagee in full settlement & give up the balance of Rs 60 — as otherwise the matter may be protracted

Law 15/6/43

5) 28/6/43

6) Dy Secy (Fin) 29/6/43

7) Dy Secy (Law) 30/6/43 JM 1/7

8) Secy 1/7/43

To DC Kadur

Collector

Pro no L 262-387-7-43

Sanction the proposals

SECY L V DEPT 14580 15/6/43 GOVT OF MYSORE

OFFICE OF THE MINISTER FOR L S G & P H Date 15 6 43 No 10249

TYPING SECTION 2 JULY 1943 GEN & REV SECTT

7120/L

No A3-C 4624-38/42-43 Office of the Deputy Commissioner,
Enc file Kadur District,
Chickmagalur, dated the 20th May 1943

NT 110-42-33

To

The Secretary to Government,
Law Department,
Bangalore

SECY LAW DEPT 24/5/43 GOVT OF MYSORE

GEN & REV SECRETARIAT 2 MAY 1943 L S G BRANCH

Subject - Regarding recovery of loan amount of Rs 60/- due from Kanikini - Subbanna to the Sringeri Municipal Council

1 I have the honour to state that during the year 1924, the Minor Municipal Council, Sringeri, granted a loan of Rs 150/- out of the funds of the Municipality, to one Kanikini Subbanna for re-constructing his house which was lost on account of the floods of the Thunga River A site belonging to him at Sringeri town was offered as security for the amount and the mortgage deed was registered in the Sringeri Sub Registry Office as No 102 of Book I on 13th May 1924

2 Out of the total principal of Rs 150/- due from the loanee a sum of Rs 50/- was recovered from him For the recovery of the balance of Rs 100/-, together with interest, the Minor Municipal Council, Sringeri, filed a suit against the defaulter, in the Munsiff's Court at Narasimharajapura, in the year 1934-35 A decree was obtained during the same year The mortgage site was brought to sale on 30-10-1939 and no bids were secured It is reported that the loanee is since dead and that he has left no other property-movable or immovable, behind him His wife and son are reported to be living by cooly and that there is a prior encumbrance to the mortgaged site The loan should not have been granted when there was a heavy prior encumbrance on the property

3 One Mr Patel Ramappa Heggade, to whom the site was originally mortgaged has now agreed to pay a sum of Rs 40/- as a final set-off for the mortgaged property. The Municipal Council have resolved at their meeting held on 30-11-1942, that as the arrears of loan are irrecoverable, a sum of Rs 40/- may be received from Mr Patel Ramappa Heggade and the balance of Rs 60/- recommended for remission

4 The Lawyer to whom the case was entrusted is of opinion that even though the Municipal Council take possession

take possession of the site, the prior mortgagee, Mr Ramappa heggade will have every right to proceed against the Municipality and get back the property The loan has been granted long before Sringeri was made a constituted Municipality and on insufficient and previously encumbered security It is - reported that there are no other means to recover the amount, Further at this distance of time it is not possible to fix the responsibility on anyone for having granted the loan In these circumstances, I request that sanction of Government, may kindly be obtained for the resolution of the Sringeri Municipal Council to receive a sum of Rs 40/- from Mr Mr Patel Ramappa Heggade as a final set off for the mortgaged property and to remit the balance of Rs 60/-

The connected records are enclosed for reference and return when done with

I have the honour to be
Sir,
Your most obedient servant,

Deputy Commissioner,
Kadur District

HPR

G R S App F VI—G 2]

SUBJECT

Diary No of letter replied to 7120/4

Section Rel

File No 110-42

Serial No 35

General and Revenue Secretariat

( )

the *194*

Proceedings of the Government of His Highness the Maharaja of Mysore

Date of issue 7/7 194

Signed by

Read— Letter No. A3-C 4624-328/42-43 dated 20th May 1943 from the Dy Commr Kadur Dt requesting, as resolved by the Finance Committee Executive Council at their meeting of the 30th November 1942, to receive a sum of Rs 240/- from ~~Order thereon—No.~~ Mr Patel Ramappa Heggade as a final set off for the sum of Rs 100/- due by one Kamkere Subbamma to whom a sum of Rs 150/- was advanced as a loan on the mortgage of his site on which a prior mortgage existed to the said.

May this be—

(i) printed?

(ii) treated as a standing order?

(iii) published in the Gazette English Part?

(iv) translated?

(v) placed at the disposal of the press?

(vi) published in the Gazette Kannada Part?

5/7

Remitter and
balance x Rs 60/-
Order 262-3 dy 7/7
Issued

Jn Law Secy

To the Dy Kadur Str with reqg
" Comptroller to POW

List of Enclosures